

Remarks

1. Claim status

Claims 1-14 are pending and have been rejected. Claims 1-8, 10-11, and 13-14 were rejected under 102(b) as being anticipated by *Pawliszyn* (US 5,691,206). Claims 9 and 12 were rejected under 103(a) as being unpatentable over *Pawliszyn* over *Karinkanta* and further in view of *Kovar* (US 5,882,939). The claims has been amended to make clear that the element formerly identified as tubular member is a gas chromatograph injection port liner sized to be encapsulated within an injection port housing of a gas chromatograph. This structure and encapsulation is consistent with Figure 4 and the Specification, which provides:

Referring to FIG. 4, tubular member 100 is connected within gas chromatograph 400. In the preferred embodiment, tubular member 100 is sized so that it replaces the standard injection port liner in gas chromatograph 400. Tubular member 100 is installed into injection port housing 410, and provides fluid communication between injection port septum 412 and column 420. Thus, tubular member 100 serves as the injection port liner for gas chromatograph 400.

Specification, page 7, lines 2-7.

2. Claim amendments

All remaining claims have been amended to provide the element previously referred to as a tubular member is a gas chromatograph injection port liner sized for communication with a gas chromatograph and that liquid phase analyte-bearing sample is injected into the passageway of said coated gas chromatograph injection port liner rather than the less clear "into said tubular member."

In light of the amendment of Claim 1, Claims 2, 5, and 6 were cancelled.

3. Rejection of Claims 1-8, 10-11, and 13-14 under 102(b) as being anticipated by Pawliszyn (US 5,691,206)

Applicants disagree with the Examiner's rejection of claims 1-8, 10-11, and 13-14 under 102(b) and would show that the rejected claims are not anticipated by *Pawliszyn* as the independent claims include a limitation not found in *Pawliszyn*. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). The Examiner equated the tubular member (now amended to be "gas chromatograph injection port liner sized to be encapsulated within an injection port housing of a gas chromatograph") with the fiber 30 of *Pawliszyn*, which extends down and is retained in a metal sleeve. The fiber 30 of *Pawliszyn* is clearly not a gas chromatograph injection port liner. Moreover, the fiber 30 cannot be encapsulated within the injection port housing of a gas chromatograph. *Pawliszyn* teaches after microextraction, the fiber 30 is retracted into the needle 18, which is then inserted, while still part of the syringe 4, through the septum of an injection port of a conventional gas chromatograph, at which point the fiber is exposed in the injection port, desorbed in the gas chromatograph, and then removed. *Pawliszyn*, Col. 4, lines 37-57.

Thus, as the fiber 30 of *Pawliszyn* is retained in the syringe, even during exposure in the port housing, it a) cannot be a port liner and/or b) cannot be encapsulated in the injection port housing of a gas chromatograph.

4. **Rejection of claims 9 and 12 under 103(a) as being unpatentable over *Pawliszyn* and further in view of *Kovar*.**

Applicants disagree with the Examiner's rejection of claims 9 and 12 under 103(a) as unpatentable and argues that as rejected claims 9 and 12 contain limitations not found in

5 *Pawliszyn*, as detailed above, those claims are likewise not obvious in light of modification by *Kovar*, which similarly does not provide the missing limitations.

5. **Conclusion**

In light of the foregoing, the pending claims are patentable over the cited art as the art
10 and proposed combinations each lack an element of the pending claims. Applicant requests the issuance of a notice of allowability.